UNITED NATIONS

General Assembly

FIFTY-FIRST SESSION

Official Records

THIRD COMMITTEE
56th meeting
held on
Friday, 29 November 1996
at 10 a.m.
New York

SUMMARY RECORD OF THE 56th MEETING

Chairman: Mrs. ESPINOSA (Mexico)

CONTENTS

AGENDA ITEM 110: HUMAN RIGHTS QUESTIONS (continued)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued)

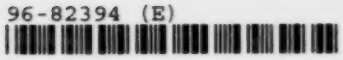
This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of the publication* to the Chief of the Official Records Editing Section, room DC2-794, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

Distr. GENERAL
A/C.3/51/SR.56
13 August 1997

ORIGINAL: ENGLISH

96-82394 (E)



The meeting was called to order at 10.55 a.m.

AGENDA ITEM 110: HUMAN RIGHTS QUESTIONS (continued)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/C.3/51/L.39/Rev.1)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued) (A/C.3/51/L.41/Rev.1, L.53/Rev.1 and L.68)

Draft resolution A/C.3/51/L.39/Rev.1 on the strengthening of the Office of the United Nations High Commissioner for Human Rights/Centre for Human Rights

1. The CHAIRMAN said that the programme budget implications of the draft resolution were contained in document A/C.3/51/L.51. The following countries had become sponsors: Andorra, Cyprus, Japan, Liechtenstein, Malta, Marshall Islands, New Zealand, Nicaragua, Peru, Philippines, San Marino, The former Yugoslav Republic of Macedonia, Ukraine and the United States of America.

2. Mr. DOYLE (Ireland) said that paragraph 6 of the draft resolution had been revised to read: "Emphasizes the need for full participation of the Office of the High Commissioner for Human Rights/Centre for Human Rights in all mechanisms related to the follow-up to major United Nations conferences, in particular, the inter-agency task forces established for this purpose;".

3. Paragraph 7 had been revised to read: "Requests the High Commissioner to continue to provide information to and exchange views with all States on a regular basis on the ongoing process of restructuring the Centre, inter alia, through informal open briefing sessions;".

4. Mrs. CHIGAGA (Zambia) said that the Vienna World Conference had raised awareness of human rights to an unprecedented level and forged a new culture of openness towards human rights issues. Member States had acknowledged the importance of maintaining the visibility of human rights issues. There had been overwhelming support for the creation of a post of High Commissioner for Human Rights to maintain a dialogue with Member States at the very highest level. The High Commissioner had been designated the official with principal responsibility for United Nations human rights activities, but the intention had been for the Centre for Human Rights to keep its separate identity and mandate and to continue to serve as the secretariat for the Commission on Human Rights. There had never been a consensus on combining the two mechanisms and, in fact, assurances had been given that the Centre would maintain its distinct identity.

5. Three years later, issues relating to the mandate and functions of the High Commissioner and his relationship with the Centre for Human Rights remained unresolved. A series of attempts had been made to redefine that relationship, for instance, by using the formula "Office of the United Nations High Commissioner for Human Rights/Centre for Human Rights". That ill-advised solution could in fact undermine the credibility of the High Commissioner's post. It was important that that post should continue to enjoy universal

support and acceptance; institutions created by the United Nations must stand the test of time.

6. Any exercise to strengthen the Centre for Human Rights and the Office of the High Commissioner must therefore be objective and based on a genuine consensus in order to make the end-product universally acceptable. While it was true that there were problems at both the Centre and the Office of the High Commissioner and that the High Commissioner could not be expected to perform his functions in a vacuum, her delegation felt that the solution did not lie in absorbing the Centre for Human Rights into the High Commissioner's Office. Any attempt to achieve parochial goals under the guise of enhancing efficiency and effectiveness ran counter to the goal of upholding the universal character of human rights, which must be pursued impartially and objectively at all times.

7. Mrs. VARGAS (Nicaragua) said that, despite the progress made in many countries, human rights still presented a major challenge to the international community. The latter had two powerful mechanisms at its disposal: the Centre for Human Rights and the Office of the High Commissioner for Human Rights. However, if the challenge of ensuring full respect for human rights was to be met, those bodies must be strengthened and must coordinate their activities. They must also be given an adequate budget.

8. Her delegation paid tribute to the efforts of the High Commissioner, who had sought to strike the necessary balance on human rights issues and to give priority, inter alia, to the right to development. She hoped that the draft resolution would be adopted by consensus and that the Centre for Human Rights would be given the resources it needed for its important work.

9. Mrs. LIMJUCO (Philippines) said that her delegation had every confidence in the High Commissioner for Human Rights, who had performed his functions well under difficult circumstances. She hoped that he would continue to give priority to the issues of violence against women migrant workers.

10. Mrs. CASTRO de BARISH (Costa Rica) said that her delegation supported the statements made by Nicaragua and the Philippines recognizing the importance of the work of the High Commissioner for Human Rights.

11. Draft resolution A/C.3/51/L.39/Rev.1 was adopted without a vote.

12. Mr. NIKIFOROV (Russian Federation) said that, in view of the importance of the United Nations human rights machinery and the consensus that had traditionally been reached on resolutions concerning human rights, his delegation had not wished to undermine the consensus. However, its position on the present issue had been expressed in a series of statements made during the consideration of a number of agenda items. It was his delegation's view that the assessment of the activities of the United Nations High Commissioner for Human Rights was over-optimistic and not soundly based. His delegation would be monitoring those activities and making its own assessment, based not on resolutions but on the real state of affairs. He called on other delegations to do likewise.

Draft resolution A/C.3/51/L.68 on the situation of human rights in the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro)

13. Mr. KUEHL (United States of America) said that the draft resolution should be revised as follows: first, in response to concerns raised by the Russian Federation, a new paragraph should be inserted between the second and third preambular paragraphs, reading: "Reaffirming the territorial integrity of all States in the region, within their internationally recognized borders,"; and second, the beginning of paragraph 24 should read "Demands that the Government of Bosnia and Herzegovina, in particular, the authorities of the Republika Srpska, and the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) ...".

14. The CHAIRMAN said that draft resolution A/C.3/51/L.68 had no programme budget implications.

15. Mr. NIKIFOROV (Russian Federation) proposed that the new preambular paragraph should be amended to read "Reaffirming the territorial integrity of the Republic of Croatia, the Republic of Bosnia and Herzegovina, The former Yugoslav Republic of Macedonia and the Federal Republic of Yugoslavia, within the internationally recognized borders," and requested a recorded vote on that proposal.

The meeting was suspended at 11.50 a.m. and resumed at 12.05 p.m.

16. Ms. GORGIEVA (The former Yugoslav Republic of Macedonia) said that her delegation would prefer that the Russian Federation omit the reference to her country from its proposed amendment.

17. Mr. ZMEEVSKY (Russian Federation) said if The former Yugoslav Republic of Macedonia had serious objections to the inclusion of a reference to it, his delegation would not insist. The concerns addressed in the proposed amendment had been discussed during negotiations on the draft resolution and the Russian Federation had stated its position from the outset. It was most regrettable that that position had not been taken into account.

18. The CHAIRMAN confirmed that the reference to The former Yugoslav Republic of Macedonia had been eliminated from the amendment proposed by the Russian Federation.

19. Mr. HYNES (Canada), speaking in explanation of vote before the voting, appealed to the Russian Federation to withdraw its proposed amendment. If it did not, Canada would vote against the proposal.

20. Ms. TOMIĆ (Slovenia) said that her delegation could not support the proposed amendment because the main concerns expressed by the Russian Federation had already been taken into account through the addition of the paragraph reaffirming the territorial integrity of the States concerned. The proposed amendment was therefore redundant and also used a country name that was inconsistent with United Nations usage as set forth in General Assembly

resolution 47/1. Accordingly, Slovenia would vote against the amendment proposed by the Russian Federation.

21. Mr. AL-RASSI (Saudi Arabia) expressed regret that the Russian Federation had not accepted the revision made by the sponsors of the draft resolution and said that his delegation would vote against the proposed amendment.

22. Mr. MATESIĆ (Croatia) said that his delegation was grateful to the Russian Federation for its concern about Croatia's territorial integrity. However, there was no need for the proposed amendment since the concerns addressed in it were covered by the revision made by the United States representative on behalf of the sponsors. Croatia attached great importance to the principle of territorial integrity, especially since 30 per cent of its territory had been occupied and Eastern Slavonia had yet to be reintegrated into its territory. His delegation would vote against the proposed amendment.

23. Mr. BIGGAR (Ireland) said that his delegation would vote against the amendment proposed by the Russian Federation since the substance of that proposal had already been taken into account in the revision made to draft resolution A/C.3/51/L.68. Ireland's position in that regard was fully in keeping with the statement made earlier that week on behalf of the European Union concerning the correct form of the name of the Federal Republic of Yugoslavia.

24. Mr. KUEHL (United States of America) said that the revision of the draft resolution took account of the concerns addressed in the proposed amendment. Any attempt to discuss specific names of countries would be confusing, distracting and irrelevant to the Committee's work. His delegation would therefore vote against the proposed amendment.

25. Mr. SY (Senegal) expressed regret that it was necessary to vote on the proposed amendment, since the revision took account of the concerns raised by the Russian Federation. Senegal would vote against the proposed amendment.

26. Mr. TAN SENG SUNG (Malaysia) said that his delegation agreed with the views expressed by Slovenia and Croatia and would vote against the proposed amendment.

27. Mr. AL-TAEE (Oman) said that the Committee, which dealt with humanitarian issues, should not have to consider disputes which fell within the purview of other United Nations organs, such as the Security Council. Accordingly, his delegation would vote against the proposed amendment.

28. Mr. KHAN (Pakistan) expressed regret that the Russian Federation had not withdrawn its proposed amendment to the revised draft resolution. The sponsors had tried to address the concerns of the Russian Federation through their revision. By omitting the reference to Serbia and Montenegro, the proposed amendment raised questions concerning succession and successor States which could not be resolved by the Committee, and also introduced incorrect nomenclature. His delegation would therefore vote against the proposal.

29. Mr. AQUARONE (Netherlands) said that he fully supported the statement made by the representative of Ireland concerning the proposed amendment.

30. MR. KOCETKOV (Bosnia and Herzegovina) said that the revision made by the sponsors of draft resolution A/C.3/51/L.68 addressed the substance of the amendment proposed by the Russian Federation. For that reason, his delegation would vote against the proposal.

31. Mrs. BENNANI (Morocco) expressed regret that the Russian Federation was insisting on its proposed amendment, despite the fact that the revision of the draft resolution took account of the substance of that proposal. Accordingly, her delegation would vote against the proposed amendment.

32. Mr. RODRIGUEZ (Spain) said that his delegation subscribed to the views expressed by Ireland and the Netherlands and reaffirmed its support for the statement made earlier in the week on behalf of the European Union concerning the names of the States in question. Since the revision of the draft resolution had made the proposed amendment unnecessary, his delegation would vote against it.

33. MR. COLOMA (Chile) said that the sponsors had done everything possible to accommodate the substantive issues addressed in the amendment proposed by the Russian delegation. His delegation felt that the proposal was unnecessary and would vote against it.

34. Mr. TORELLA (Italy) said that his delegation associated itself fully with the statement made by the representative of Ireland and supported by the Netherlands and Spain.

35. Mrs. CASTRO de BARISH (Costa Rica) said that her delegation supported the principle of territorial integrity as set forth in the revision of the draft resolution. Costa Rica appreciated the statements made by Slovenia and Croatia, which helped to clarify the issue, and would vote against the proposed amendment.

36. A recorded vote was taken on the amendment proposed by the Russian Federation.

In favour: Azerbaijan, China, India, Russian Federation.

Against: Albania, Andorra, Argentina, Australia, Austria, Bahrain, Bangladesh, Belgium, Bhutan, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Comoros, Costa Rica, Croatia, Czech Republic, Denmark, Djibouti, Dominican Republic, Egypt, El Salvador, Estonia, Fiji, Finland, Germany, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Jordan, Kuwait, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malaysia, Marshall Islands, Mauritania, Micronesia (Federated States of), Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Norway, Oman, Pakistan, Papua New Guinea, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Swaziland, Sweden, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey,

United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan.

Abstaining: Afghanistan, Angola, Antigua and Barbuda, Bahamas, Barbados, Belize, Botswana, Brazil, Brunei Darussalam, Burundi, Cameroon, Cape Verde, Colombia, Cyprus, Ecuador, Ethiopia, France, Gabon, Gambia, Georgia, Greece, Kenya, Lesotho, Libyan Arab Jamahiriya, Malawi, Malta, Mauritius, Mexico, Myanmar, Namibia, Nepal, Paraguay, Peru, Philippines, Saint Lucia, Sierra Leone, Trinidad and Tobago, Uganda, Ukraine, United Republic of Tanzania, Venezuela, Zambia, Zimbabwe.

37. The amendment proposed by the Russian Federation was rejected by 90 votes to 4, with 43 abstentions.

38. Mr. CARREL-BILLIARD (France) said that his delegation had abstained in the voting for procedural reasons. It felt that the revision of the draft resolution responded to the concerns addressed in the proposed amendment and stressed the importance of adhering to correct usage with regard to the name of the Federal Republic of Yugoslavia (Serbia and Montenegro).

39. Mr. XIE (China) said that the territorial integrity of all countries must be respected fully. His delegation had voted in favour of the proposed amendment and also supported the sponsors' revision of the draft resolution.

40. Mr. NEIVA TAVARES (Brazil) said that his delegation had abstained in the voting because it felt that the revision made by the sponsors dealt appropriately with the question of the territorial integrity of all States in the region.

41. Mr. BORDA (Colombia) said that, while his delegation had abstained in the voting for procedural reasons, that did not mean that it opposed the principle of the territorial integrity of States, which must be upheld at all times. That principle was duly reflected in the revised version of the draft resolution.

42. Mrs. LIMJUCO (Philippines) said that her delegation had abstained in the vote on the proposed amendment because the question at issue went beyond the purview of the Third Committee and because her delegation sought to avoid duplication of effort in the United Nations system.

43. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/51/L.68 as a whole, as orally revised. Australia, Canada, Chile, Costa Rica, Kuwait, Malaysia, Monaco, New Zealand, Poland, San Marino and Senegal had become sponsors.

44. Mr. KUEHL (United States of America) said that Bangladesh, the Islamic Republic of Iran, Jordan, Lithuania, Norway and all the member States of the European Union except Greece had become sponsors of the draft resolution.

45. MR. MATESIĆ (Croatia) said that his delegation reserved the right to make a statement prior to the adoption of the draft resolution in the plenary Assembly.

46. Mr. ZMEEVSKY (Russian Federation) requested a recorded vote on draft resolution A/C.3/51/L.68.

47. Mrs. HADJI (Greece), speaking in explanation of vote before the voting, said that Greece advocated full respect for the rights of persons belonging to minorities; that was a principle that must be applied by all States. In the Balkan region, the safeguarding of those rights deserved particular attention in view of recent tragic events. However, the promotion and protection of the rights of minorities could not justify the pursuit of secessionist policies or the alteration of long-established international borders, particularly in the case of the former Yugoslavia, where regional security and stability were at risk. her delegation's vote in favour of the draft resolution would reflect its support for those principles.

48. Mr. ZMEEVSKY (Russian Federation) welcomed the latest revisions which had made the text of the draft resolution more balanced and objective than similar resolutions adopted the previous year. However, the draft resolution still contained a number of provisions which were prejudiced, inappropriate, unrealistic or subject to misinterpretation, which was why his delegation had proposed an amendment to it. Not all States were prepared simply to reaffirm the territorial integrity of specific countries in the territory of the former Yugoslavia. For those reasons, his delegation had sought to amend paragraphs 9, 10 and 11, which were particularly unacceptable to it, and would vote against the draft resolution.

49. At the request of the representative of the Russian Federation, a recorded vote was taken on draft resolution A/C.3/51/L.68, as orally revised.

In favour: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Canada, Cape Verde, Chile, Colombia, Comoros, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Gabon, Georgia, Germany, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakstan, Kuwait, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain

and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela.

Against: Russian Federation.

Abstaining: Angola, Belarus, Botswana, Burundi, Cameroon, China, Congo, Côte d'Ivoire, Ethiopia, Fiji, Gambia, India, Kenya, Mozambique, Namibia, Nigeria, Uganda, United Republic of Tanzania, Zambia, Zimbabwe.

50. Draft resolution A/C.3/51/L.68, as orally revised, was adopted by 131 votes to 1, with 20 abstentions.

51. Ms. GORGIEVA (The former Yugoslav Republic of Macedonia) said that her delegation had voted in favour of the draft resolution, in the hope that it would generate positive developments in the States concerned and despite its belief that the wording "former Yugoslavia" was used inappropriately in several paragraphs. That wording was a source of confusion and its use should be discontinued. The former Yugoslavia no longer existed, and where it had once been there were a number of States: Slovenia, Croatia, the Federal Republic of Yugoslavia (Serbia and Montenegro), Bosnia and Herzegovina and the Republic of Macedonia. In the interest of clarity, those were the names which should be used.

Draft resolution A/C.3/51/L.41/Rev.1 on the situation of human rights in the Islamic Republic of Iran

52. The CHAIRMAN said that the draft resolution had no programme budget implications and that Andorra, Australia, Japan, Liechtenstein, Poland and the United States of America had become sponsors. Kyrgyzstan had been listed erroneously as one of the sponsors.

53. Mr. BIGGAR (Ireland) said that the original text of the draft resolution had been revised to bring it more closely into line with the report of the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran, as well as with the comments made by the Special Representative at the time of the introduction of the draft resolution.

54. Mr. REZVANI (Islamic Republic of Iran), speaking in explanation of vote before the voting, said that the Committee was once again about to vote on a politically-motivated draft resolution which was a by-product of an unhealthy trend of hostility towards the Islamic Republic of Iran. His delegation had already voiced its objections to the politicization and manipulation of human rights issues. The adoption of such a resolution to satisfy the short-sighted interests of a few countries would reveal the real intentions of the sponsors, who seemed intent on sabotaging any improvement in his Government's relationship with the United Nations in the field of human rights, regardless of the consequences.

· The representative of Ghana subsequently informed the Committee that his delegation had intended to abstain in the vote on the draft resolution.

55. The initiatives and measures taken by the Islamic Republic of Iran in the ongoing process of promoting human rights were quite clear, as was his Government's cooperation with the Special Representative and with the Special Rapporteur on religious intolerance and freedom of opinion. He therefore called upon all delegations to vote against the draft resolution.

56. Mrs. MESDOUA (Algeria), referring to paragraph 9 of the draft resolution, said that anything which tended to foster intolerance and divisiveness endangered the inviolability of beliefs and religions and, in the process, other fundamental human rights which deserved just as much respect as freedom of expression. Her delegation, which had joined with the international community in condemning all forms of coercion and terrorism, believed that such condemnation derived its force and legitimacy from the vital need to preserve human life throughout the world. The right to life was held sacred both by the teachings of Islam and by universal human rights norms.

57. Mr. WISSA (Egypt), recalling his Government's commitment to universal respect for human rights and fundamental freedoms, said that it was important to depoliticize human rights questions, to avoid double standards and to treat all human rights and fundamental freedoms as indivisible.

58. Every State had the sovereign right to enact legislation that was in keeping with the values and traditions of its society; such issues fell within the internal competence of each State. His delegation would therefore abstain from voting on the draft resolution.

59. A recorded vote was taken on draft resolution A/C.3/51/L.41/Rev.1.

In favour: Algeria, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Bolivia, Botswana, Brazil, Bulgaria, Canada, Chile, Costa Rica, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Romania, Russian Federation, Saint Lucia, Samoa, San Marino, Slovakia, Slovenia, Solomon Islands, Spain, Suriname, Swaziland, Sweden, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Zambia.

Against: Afghanistan, Armenia, Azerbaijan, Bangladesh, Brunei Darussalam, China, Cuba, Democratic People's Republic of Korea, Gambia, Ghana, India, Indonesia, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Malaysia, Maldives, Myanmar, Nigeria, Oman, Pakistan, Qatar, Sierra Leone, Sri Lanka, Sudan, Syrian Arab Republic, Viet Nam.

Abstaining: Albania, Angola, Bahrain, Belarus, Benin, Bhutan, Burkina Faso, Burundi, Cameroon, Cape Verde, Colombia, Comoros, Congo, Côte d'Ivoire, Cyprus, Egypt, Eritrea, Ethiopia, Fiji, Gabon, Guinea, Guinea-Bissau, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Mali, Mauritania, Mozambique, Namibia, Nepal, Niger, Philippines, Republic of Korea, Republic of Moldova, Saudi Arabia, Senegal, Singapore, South Africa, Thailand, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Zimbabwe.

60. Draft resolution A/C.3/51/L.41/Rev.1 was adopted by 78 votes to 26, with 49 abstentions.

61. Mr. MOFOKENG (South Africa) said that his delegation had abstained in the voting because of the Iranian Government's cooperation with the Special Representative and the Special Rapporteurs who had visited the Islamic Republic of Iran. South Africa hoped that its abstention would encourage that State to improve its human rights record.

Draft resolution A/C.3/51/L.53/Rv.1 on the situation of human rights in Nigeria

62. The CHAIRMAN said that the draft resolution had no programme budget implications and that Albania, Andorra, Liechtenstein, Lithuania, Romania and The former Yugoslav Republic of Macedonia had become sponsors.

63. Mr. BIGGAR (Ireland) said that, in the hope of achieving a consensus, a number of revisions had been made to the draft resolution to take account of concerns expressed by the Nigerian delegation.

64. Mr. GAMBARI (Nigeria) thanked those delegations which had made considerable efforts to achieve a consensus on the draft resolution. Regrettably, some unfairness, inaccuracies and imbalances remained; his delegation would therefore request a recorded vote on the draft resolution.

65. He recalled that the resolution on the situation of human rights in Nigeria introduced in the Committee the previous year had been opposed vigorously by his delegation and had not been adopted by consensus. His delegation had greater and even more justifiable reasons for opposing the draft resolution currently before the Committee. While recognizing the substantial improvements made to the text and welcoming the fact that no African country was among the sponsors, his delegation considered the text to be inaccurate, unfair and unnecessary, and it called on true friends of Nigeria not to support the draft resolution.

66. Nigeria had come a long way in the past year, as his delegation had recently informed the Committee. During a recent visit to Nigeria by the Commonwealth Ministerial Action Group (CMAG), the Nigerian Minister for Foreign Affairs had stated that democracy was the involvement of the people in the governance of their affairs and that a true democracy must contain a strong local cultural component, the right of participation and freedom of choice. There was no worldwide democratic model that was uniformly transferrable to all cultures and political systems.

67. Nigeria's commitment to democratic governance was not a response to external pressure, but a course that Nigerians had embraced voluntarily and would therefore follow at their own pace and in their own time. Every society and people had an inalienable right to determine the type of government appropriate to their needs and circumstances.

68. He recalled that the Committee had recently been informed that his Government had amended the Civil Disturbances Act, restored habeas corpus and released a number of detainees. Most of the recommendations of the United Nations fact-finding mission had been implemented, and positive and useful discussions concerning democratization and human rights had been held on three separate occasions with special envoys of the Secretary-General. A recent statement issued jointly by CMAG and the Government of Nigeria had recorded both sides' agreement that their constructive dialogue must be continued. In November 1996, the CMAG Chairman had reported that meetings had taken place between a CMAG group and, inter alia, the heads of various transitional institutions, the Chairman of the National Human Rights Commission and representatives of the five political parties. He had expressed appreciation at the frankness with which CMAG queries had been answered, and the CMAG group had been told that it was free to travel anywhere in Nigeria and to see anyone it wished. The presentations made to the group by representatives of the various transitional institutions had been of particular value, enabling it to obtain information on the situation relating to human rights and the rule of law, as well as on the evolution of democracy in Nigeria.

69. Draft resolution A/C.3/51/L.53/Rev.1 contained a number of inaccuracies. The ninth preambular paragraph, which expressed regret that a number of political associations had been instructed to disband, was unfortunate and misleading. The exercise of registering political parties was not new in Nigeria. In the past, political associations had tended to be ethnically based and often limited to their regions of origin; since that had been very divisive, few such associations had been registered as political parties. Paragraph 5, which regretted that the Government of Nigeria had not enabled the Special Rapporteurs in question to visit the country, was also misleading. His Government had agreed to the visits and consultations were still being conducted to facilitate them.

70. The draft resolution was also unbalanced. It failed to give due credit for the positive developments in the field of democracy and human rights that had taken place in Nigeria over the past year or to recognize the role played by Nigeria in promoting peace and stability in the subregion, particularly in war-torn Liberia, and in Africa as a whole. Owing to the inaccurate, unbalanced and unfair statements in the text, his delegation was unable to support the draft resolution and called upon other delegations to join in voting against it.

71. Mr. AL-HUMAIMIDI (Iraq) said that, if his country had the right to vote, it would vote against draft resolution A/C.3/51/L.53/Rev.1.

72. Mr. LEESAY (Gambia) said that his delegation would vote against the draft resolution, which it felt was unnecessary in view of the many positive developments that had taken place in Nigeria over the past year and the efforts made by the Nigerian Government. Furthermore, the complexities of the situation

in Nigeria could not be reduced to the simple formulations contained in the draft resolution.

73. At the request of the representative of Nigeria, a recorded vote was taken on draft resolution A/C.3/51/L.53/Rev.1.

In favour: Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Guyana, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela, Zambia, Zimbabwe.

Against: China, Cuba, Democratic People's Republic of Korea, Gambia, Ghana, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Myanmar, Niger, Nigeria, Sierra Leone, Sudan, Syrian Arab Republic, Togo.

Abstaining: Afghanistan, Algeria, Angola, Bahrain, Bangladesh, Benin, Bhutan, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Djibouti, Egypt, Eritrea, Ethiopia, Fiji, Gabon, Guinea, Guinea-Bissau, India, Indonesia, Jamaica, Jordan, Kenya, Lao People's Democratic Republic, Lebanon, Madagascar, Malaysia, Mali, Mauritania, Morocco, Mozambique, Namibia, Nepal, Pakistan, Papua New Guinea, Philippines, Qatar, San Marino, Saudi Arabia, Senegal, Singapore, Sri Lanka, Swaziland, Thailand, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam.

74. Draft resolution A/C.3/51/L.53/Rev.1 was adopted by 86 votes to 14, with 56 abstentions.

The meeting rose at 1.30 p.m.